

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE	*	BKRTCY. NO. 15-04065 MCF
FELIX ANGEL FALCON FIGUEROA	*	CHAPTER 13
MYRNA JURADO RODRIGUEZ	*	
<u>DEBTORS</u>		

**DEBTORS' MOTION REQUESTING THE WITHDRAWAL OF:
APPLICATION TO EMPLOY REALTOR (Dkt. No. 36);
MOTION FOR POST-CONFIRMATION PLAN MODIFICATION (Dkt. No. 37);
MOTION REQUESTING AUTHORIZATION TO SELL REAL PROPERTY (Dkt. No. 38)**

TO THE HONORABLE COURT:

COME NOW, FELIX ANGEL FALCON FIGUEROA and MYRNA JURADO RODRIGUEZ, the Debtors in the above captioned case, through the undersigned attorney, and very respectfully state and pray as follows:

1. On July 17, 2017, the Debtors executed a sales option agreement in order to sell their residential real property located at Bayamon Ward Aguas Buenas, Puerto Rico. To that effect, the Debtors filed with the Court the following motions:

- a. Application to Employ Realtor, dated 08/29/2017, Docket No. 36;
- b. Motion for Post-Confirmation Chapter 13 Plan Modification, dated 08/30/2017, Docket No. 37; and
- c. Motion Requesting Authorization to Sell Real Property, dated 08/30/2017, Docket No. 38.

2. On September 13, 2017, the Chapter 13 Trustee filed a "favorable" report on Debtors' proposed post-confirmation modified Chapter 13 Plan, Docket No. 39.

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3. On September 20, 2017, hurricane Maria passed through Puerto Rico. The Debtors' real property suffered major damages. Shortly after the passage of hurricane Maria, the potential buyers visited the subject property and assessed the resulting damages on the property. On November 01, 2017, the Debtors were informed that the potential buyers had cancelled the pending sales contract.

4. Based on the aforementioned, the Debtors respectfully request this motion be granted and this Honorable Court enter an Order withdrawing the Debtors' Application to Employ Realtor, dated 08/29/2017, Docket No. 36; the Motion for Post-Confirmation Chapter 13 Plan Modification, dated 08/30/2017, Docket No. 37; and the Motion Requesting Authorization to Sell Real Property, dated 08/30/2017, Docket No. 38, in the present case.

5. The Debtors are filing a new proposed post-confirmation Chapter 13 Plan modification in order to delete the "lump sum" payment stemming from the sales of Debtors' real property and amend the Payment Plan Schedule, accordingly.

WHEREFORE, the Debtors respectfully request this Honorable Court grant the present motion and Order the withdrawal of the Debtors' Application to Employ Realtor, dated 08/29/2017, Docket No. 36; the Motion for Post-Confirmation Chapter 13 Plan Modification, dated 08/30/2017, Docket No. 37; and the Motion Requesting Authorization to Sell Real Property, dated 08/30/2017, Docket No. 38, in the present case.

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I **CERTIFY** that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF filing system which will send notice of same to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq.; the United States Trustee's Office and o all CM/ECF participants; I also certify that a copy of this motion was sent via regular US Mail to: Felix Angel Falcon Figueroa and Myrna Jurado Rodriguez, HC 04 Buzon 8009 Aguas Buenas PR 00703.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 3rd day of November, 2017.

/s/Roberto Figueroa Carrasquillo
USDC #203624
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